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July 3, 2019

VIA CM/ECF

Hon. Edgardo. Ramos
United States District Court Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Patriot National, Inc. Securities Litigation*,
Case No. 1:17-cv-01866-ER
McIntire v. Mariano, et al., Case No. 1:19-cv-00098-ER

Dear Judge Ramos:

We represent Aric McIntire and Henry Wasik, plaintiffs in the action captioned *McIntire v. Mariano, et al.*, Case No. 1:19-cv-00098-ER (the “*McIntire Action*”), currently pending before the Court. We write in response to a letter filed today by counsel for ODS Capital LLC, Barry A. Smith, and Sunil Shah. (Case No. 1:19-cv-00098-ER ECF No. 121).

In their letter, counsel request that the Court grant the Motion for Preliminary Approval of Settlement (Case No. 1:19-cv-00098-ER ECF No. 100) filed by ODS Capital, Smith, and Shah. As explained in the Memorandum of Law in Opposition to Motion for Preliminary Approval of Settlement (Case No. 1:19-cv-00098-ER ECF No. 104), McIntire and Wasik oppose the proposed settlement as, *inter alia*, its terms are fundamentally unfair, the motion is lacking material information needed by the Court to grant preliminary approval, and the notice is inadequate.

Accordingly, Wasik and McIntire maintain their opposition to preliminary approval of the settlement proposed by ODS Capital, Smith, and Shah and renew their motion to be appointed lead plaintiffs in this proceeding. Alternatively, in the event that the Court does consolidate these two actions and decline to reopen the lead plaintiff process, Wasik and McIntire respectfully request that they be appointed lead plaintiffs for all claims asserted in the *McIntire Action* that are not asserted in *In re Patriot National*.

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Respectfully Submitted,
Levi & Korsinsky, LLP

By: /s/ Nicholas Porritt
Nicholas I. Porritt

CC: All counsel of record (via ECF)